

Response to Amendment

Amendment received on 07/18/2008 is acknowledged and entered. Claims 8, 26, 36-48, 58, 73, 96 have been canceled. Claims 123 and 130 have been amended. Claims 1-7, 9-25, 27-35, 49-57, 59-72, 74-95 and 97-130 are currently pending in the application.

Claim Rejections under 35 USC § 112 and 35 USC § 103 have been withdrawn due to the applicant's amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Steven E. Halpern, Esq. (Reg. No.: 51,769) on Monday, November 10, 2008.

During the interview availability of the claims over the prior art of record was discussed. Agreed, that the combined teaching of prior art does not teach the inventive features of Applicant's invention as currently recited in the claims. Furthermore, changes to the claim language were discussed in order to clarify patentable subject matter and avoid issues under 35 USC 112 and 101. Finally, the Representative gave authorization for the Examiner Amendment to amend the claims and, thereby, place the claims into the condition of allowance.

The application has been amended as follows:

IN THE CLAIMS

1. (Previously Amended) A method for creating an automated bidding process among energy Providers in which at least one computer collects bids from each Provider of a plurality of energy Providers, processes the bids and designates at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller for use by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:

- a. transmitting at least a portion of historical energy usage data associated with the at least one customer of the at least one reseller to at least a first portion of the plurality of energy Providers;
- b. receiving bids to provide electric power or natural gas to the at least one reseller for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first bidding data;
- c. transmitting at least a portion of the first bidding data to at least a second portion of the plurality of energy Providers; and
- d. designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller for use

by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during at least a portion of a specific future time interval;

wherein each part of Steps a.- d. is performed by at least one computer.

2. (Previously Amended) A method of Claim 1 in which the at least one customer-includes at least one end user.
3. (Original) A method of Claim 2 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
4. (Previously Amended) A method of Claim 1 in which at least two Providers of the plurality of energy Providers are designated to provide electric power or natural gas to the at least one reseller for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during the at least a portion of the specific future time interval.
5. (Previously Amended) A method of Claim 1 in which the designated Providers, when their respective commitments are summed, are

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designated to supply 100% of the electric power or natural gas needed by the at least one customer.

6. (Previously Amended) A method of Claim 1 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the bid to be considered valid.
7. (Previously Amended) A method of Claim 6 in which the bid formulation requirements specify that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller for use by the at least one customer.
8. (Cancelled)
9. (Previously Amended) A method of Claim 1 including, in at least one computer, transmitting at least a portion of the first bidding data to the at least one reseller.
10. (Previously Amended) A method of Claim 1 comprising, in at least one computer, receiving decision rules from an administrator associated with the moderating computer or from the at least one reseller, and processing at least a portion of the first bidding data and the decision rules, and designating at least a first designated Provider for the provision of electric

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power or natural gas to the at least one reseller for use by the at least one customer.

11. (Previously Amended) A method of Claim 1 including, in at least one computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
12. (Previously Amended) A method of Claim 1 in which at least a part of the first bidding data is transmitted to the at least a second portion of the plurality of energy Providers subsequent to designating at least a first designated Provider to provide electric power or natural gas to the at least one reseller for use by the at least one customer.
13. (Previously Amended) A method of Claim 1 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or at least one block of electric power or natural gas.
14. (Previously Amended) A method of Claim 13 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one customer.

15. (Previously Amended) A method of Claim 13 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller for use by the at least one customer.
16. (Previously Amended) A method of Claim 1 in which at least a first designated Provider is designated to supply a fixed quantity of electric power or natural gas.
17. (Previously Amended) A method of Claim 16 further including, in at least one computer, specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one customer for use during the specific future time interval.
18. (Previously Amended) A method of Claim 1 further including transmitting, by the moderating computer, or at least one adjunct computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, to at least one of the designated Providers, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.

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19. (Previously Amended) A method of Claim 1 in which at least one adjunct computer performs at least a portion of Steps a.- d.
20. (Previously Amended) A method for creating an automated bidding process among energy Providers in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller for use_by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
 - a. in at least one of the moderating computer and the first control computer, transmitting at least a portion of historical energy usage data associated with the at least one customer of the at least one reseller to at least a first portion of the plurality of energy Providers;
 - b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;

- c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
 - d. in at least one of the moderating computer and the first control computer, transmitting at least a portion of the first control computer data to at least a second portion of the plurality of energy Providers; and
 - e. in the first control computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during at least a portion of a specific future time interval.
- 21. (Previously Amended) A method of Claim 20 in which the at least one customer-includes at least one end user.
- 22. (Original) A method of Claim 21 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
- 23. (Previously Amended) A method of Claim 20 in which the first control computer designates at least two Providers of the plurality of energy

- Providers to provide electric power or natural gas to the at least one reseller for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during the at least a portion of the specific future time interval.
24. (Previously Amended) A method of Claim 20 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one customer.
25. (Previously Amended) A method of Claim 20 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller for use by the at least one customer.
26. (Cancelled)
27. (Previously Amended) A method of Claim 20 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one reseller, and processing at least a

- portion of the first control computer data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller for use by the at least one customer.
28. (Original) A method of Claim 20 including, in the moderating computer or the first control computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
29. (Previously Amended) A method of Claim 20 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or at least one block of electric power or natural gas.
30. (Previously Amended) A method of Claim 29 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one customer.
31. (Previously Amended) A method of Claim 29 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a

specific price, to the at least one reseller for use by the at least one customer.

32. (Previously Amended) A method of Claim 20 including transmitting, by the moderating computer, or the first control computer, or at least one adjunct computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, to at least one of the designated Providers, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.
33. (Previously Amended) A method of Claim 20 in which the first control computer is operated by the moderating computer, or by the at least one reseller, or by a first DISCO serving the at least one reseller or serving the at least one customer.
34. (Previously Amended) A method of Claim 20 in which at least a portion of Steps a.-e. are performed by at least one adjunct computer.
35. (Original) A method of Claim 20 in which the first control computer is a computer adjunct to the moderating computer.

Claims 36 -48 (Cancelled).

49. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers, such process utilizing at least one computer and based on an economic choice in accordance with auction rules, comprising:
- a. transmitting at least a portion of historical energy usage data associated with at least one customer of at least one reseller to at least a first portion of the plurality of energy Providers;
 - b. receiving, from each Provider of the plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to at least one reseller for use by the at least one customer of the at least one reseller;
 - c. processing the bids in accordance with the auction rules;
 - d. distributing at least a portion of processed bid information to at least a second portion of the plurality of energy Providers; and
 - e. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during at least a portion of a specific future time interval[.];
- wherein each of Steps a.-e. is performed by at least one computer.

50. (Previously Amended) A method of Claim 49 in which the at least one customer-includes at least one end user.
51. (Original) A method of Claim 50 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
52. (Previously Amended) A method of Claim 49 in which each of Steps a.-e. is performed by at least one computer.
53. (Previously Amended) A method of Claim 49 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one reseller for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one customer during the at least a portion of the specific future time interval.
54. (Previously Amended) A method of Claim 49 in which the designated Providers, when their respective commitments are summed, are

designated to supply 100% of the electric power or natural gas needed by the at least one customer.

55. (Original) A method of Claim 49 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the bid to be considered valid.

56. (Previously Amended) A method of Claim 55 in which the bid formulation requirements specify that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller for use by the at least one customer.

57. (Original) A method of Claim 49 including distributing at least a portion of the auction rules to at least a portion of the plurality of energy Providers.

58. (Cancelled)

59. (Original) A method of Claim 49 including transmitting at least a portion of the processed bid information to the at least one reseller.

60. (Previously Amended) A method of Claim 49 including notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider to

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provide electric power or natural gas to the at least one reseller for use by the at least one customer.

61. (Previously Amended) A method of Claim 49 including distributing at least a part of the processed bid information to the at least a second portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one reseller for use by the at least one customer.
62. (Previously Amended) A method of Claim 49 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or at least one block of electric power or natural gas.
63. (Previously Amended) A method of Claim 62 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one customer.
64. (Previously Amended) A method of Claim 62 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller for use by the at least one customer.

65. (Previously Amended) A method of Claim 49 including designating at least a first designated Provider to supply a fixed quantity of electric power or natural gas.
66. (Previously Amended) A method of Claim 65 further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one customer for use during the specific future time interval.
67. (Previously Amended) A method of Claim 49 further including transmitting, to at least one of the designated Providers, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.
68. (Previously Amended) A method for creating an automated bidding process among energy Providers for the benefit of end users in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least a first Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one end

user, based on an economic choice in accordance with auction rules, wherein the method comprises:

- a. in at least one of the moderating computer and the first control computer, transmitting at least a portion of historical energy usage data associated with the at least one end user to at least a first portion of the plurality of energy Providers;
- b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one end user, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;
- c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
- d. in at least one of the moderating computer and the first control computer, transmitting at least a portion of the first control computer data to at least a second portion of the plurality of energy Providers; and
- e. in the first control computer, designating at least the first Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one end user, with each designated Provider to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of a specific future time interval.

69. (Previously Amended) A method of Claim 68 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one end user.
70. (Original) A method of Claim 68 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.
71. (Previously Amended) A method of Claim 70 in which the bid formulation requirements specify that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
72. (Original) A method of Claim 68 in which the moderating computer transmits at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
73. (Cancelled)

74. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to the at least one end user.
75. (Original) A method of Claim 68 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one end user, processing at least a portion of the first control computer data and the decision rules, and designating at least the first Provider for the provision of electric power or natural gas to the at least one end user.
76. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, notifying a first DISCO of at least the first Provider's designation to provide electric power or natural gas to the at least one end user.
77. (Previously Amended) A method of Claim 68 in which the moderating computer or the first control computer transmits at least a part of the first control computer data to the at least a second portion of the plurality of energy Providers subsequent to the first control computer designating at least the first Provider to provide electric power or natural gas to the at least one end user.

78. (Previously Amended) A method of Claim 68 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or at least one block of electric power or natural gas to the at least one end user.
79. (Previously Amended) A method of Claim 78 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one end user.
80. (Previously Amended) A method of Claim 78 in which the auction rules specify that the bids indicate the quantity of standard units or blocks of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
81. (Previously Amended) A method of Claim 68 in which at least a first designated Provider is designated by the first control computer to supply a fixed quantity of electric power or natural gas.
82. (Previously Amended) A method of Claim 81 further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed for use by the at least one end user during the specific future time interval.

83. (Original) A method of Claim 68 in which the first control computer is operated by the moderating computer, or by the at least one end user, or by a reseller to the at least one end user, or by a first DISCO serving the at least one end user.
84. (Original) A method of Claim 68 in which the first control computer is a computer adjunct to the moderating computer.
85. (Previously Amended) A method of Claim 68 in which at least a portion of the processing and communications functions of Steps a.- e. are performed by at least one adjunct computer.
86. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of Buyers, such process utilizing at least one computer and based on an economic choice in accordance with auction rules, comprising:
- a. receiving, from at least one Buyer, at least one request for future energy supply, consisting of electric power or natural gas;
 - b. processing the at least one request and distributing at least a portion of at least one processed request to a plurality of energy Providers;

- c. transmitting at least a portion of historical energy usage data associated with the at least one Buyer to at least a portion of the plurality of energy Providers;
- d. receiving, from at least two Providers of the plurality of energy Providers, bids to provide electric power or natural gas to the at least one Buyer;
- e. processing the bids in accordance with the auction rules;
- f. distributing at least a portion of processed bid information to at least a portion of the at least two Providers; and
- g. designating, on the basis of the processed bid information, at least one Provider of the at least two Providers to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during at least a portion of a specific future time interval for use at at least one end-user facility[.];

wherein each of Steps a.-g. is performed by at least one computer.

- 87. (Previously Amended) A method of Claim 86 in which each of Steps a.- g. is accomplished by means of computer processing.
- 88. (Previously Amended) A method of Claim 86 in which at least two Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one Buyer, with each

designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during the at least a portion of the specific future time interval.

89. (Previously Amended) A method of Claim 86 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one Buyer.
90. (Previously Amended) A method of Claim 86 in which, as part of the auction rules, bid formulation requirements specify that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one Buyer.
91. (Original) A method of Claim 86 including notifying at least one DISCO serving the at least one Buyer of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
92. (Previously Amended) A method of Claim 86 including distributing at least a part of the processed bid information to the at least a portion of the at least two Providers subsequent to the designating of at least a first

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designated Provider to provide electric power or natural gas to the at least one Buyer.

93. (Previously Amended) A method of Claim 86 including transmitting, to at least one of the designated Providers, data indicating at least a portion of the quantity of electric power or natural gas supplied to the at least one Buyer during at least a portion of the specific future time interval for use at the at least one end-user facility.

94. (Previously Amended) A method of Claim 86 including distributing at least a portion of the at least one processed request to at least a portion of the plurality of energy Providers by posting the at least a portion of the at least one processed request on a website or computer bulletin board accessible to the at least a portion of the plurality of energy Providers.

95. (Original) A method of Claim 86 including receiving bids from the at least two Providers by means of a software defined template.

96. (Cancelled)

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97. (Previously Added) A method of Claim 86 including designating at least a first designated Provider to supply a fixed quantity of electric power or natural gas.
98. (Previously Added) A method of Claim 97 further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one Buyer for use during at least a portion of the specific future time interval.
99. (Previously Added) A method of Claim 86 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or at least one block of electric power or natural gas.
100. (Previously Added) A method of Claim 99 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one Buyer.
101. (Previously Added) A method of Claim 99 in which the auction rules include bid formulation requirements specifying that the bids indicate the

quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one Buyer.

102. (Previously Added) A method for creating an automated bidding process among energy Providers in which at least one computer collects bids from each Provider of a plurality of energy Providers, processes the bids and designates at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one end user, based on an economic choice in accordance with auction rules, wherein the method comprises:
- a. transmitting at least a portion of historical energy usage information associated with the at least one end user to at least a first portion of the plurality of energy Providers;
 - b. receiving bids to provide electric power or natural gas to the at least one end user, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first bidding data;
 - c. transmitting at least a portion of the first bidding data to at least a second portion of the plurality of energy Providers;
 - d. designating at least one Provider of the plurality of energy Providers to supply at least a portion of the electric power or natural gas needed by

the at least one end user for use at at least one end-user facility during a specific future time interval; and
wherein each part of Steps a.- d. is performed by at least one computer.

103. (Previously Added) A method of Claim 102 in which at least one computer designates at least two Providers of the plurality of energy Providers to supply at least a portion of the electric power or natural gas needed by the at least one end user during the specific future time interval.

104. (Previously Added) A method of Claim 102 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval.

105. (Previously Added) A method of Claim 102 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.

106. (Previously Added) A method of Claim 102 in which the bids to provide electric power or natural gas include bids to provide at least one block of electric power or natural gas.

107. (Previously Added) A method of Claim 106 in which the designated Providers, when their respective commitments are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval.
108. (Previously Added) A method of Claim 106 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
109. (Previously Added) A method of Claim 102 in which at least a first designated Provider is designated by at least one computer to supply a fixed quantity of electric power or natural gas.
110. (Previously Added) A method of Claim 109 further including, in at least one computer, specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one end user for use during at least a portion of the specific future time interval.
111. (Previously Added) A method of Claim 102 including transmitting, by a moderating computer, or at least one adjunct computer, or a first DISCO

serving the at least one end user, or an independent meter reading service entity, to at least one of the designated Providers, data indicating at least a portion of the quantity of electric power or natural gas used by the at least one end user during at least a portion of the specific future time interval at the at least one end-user facility.

112. (Previously Added) A method of Claim 102 in which at least one adjunct computer performs at least a portion of Steps a.- d.
113. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of end users, such process utilizing at least one computer and based on an economic choice in accordance with auction rules, comprising:
- a. transmitting at least a portion of historical energy usage information associated with at least one end user to at least a first portion of a plurality of energy Providers;
 - b. receiving, from each Provider of the plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to the at least one end user;
 - c. processing the bids in accordance with the auction rules;
 - d. transmitting at least a portion of processed bid information to at least a second portion of the plurality of energy Providers; and

e. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to supply at least a portion of the electric power or natural gas needed by the at least one end user for use at at least one end-user facility during a specific future time interval[[]];

wherein each of Steps a.-e. is performed by at least one computer.

114. (Previously Added) A method of Claim 113 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
115. (Previously Added) A method of Claim 113 in which the bids to provide electric power or natural gas include bids to provide at least one block of electric power or natural gas.
116. (Previously Added) A method of Claim 115 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
117. (Previously Added) A method of Claim 113 in which at least a part of the processed bid information is transmitted to the at least a second portion of

the plurality of energy Providers subsequent to the designating of the at least one Provider to provide electric power or natural gas to the at least one end user.

118. (Previously Added) A method of Claim 113 in which at least two Providers of the plurality of energy Providers are designated to supply at least a portion of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval.
119. (Previously Added) A method of Claim 113 further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during at least a portion of the specific future time interval.
120. (Previously Added) A method of Claim 113 in which at least a first Provider is designated to supply a fixed quantity of electric power or natural gas to provide the at least a portion of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval, and further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one end user for use

at the at least one end-user facility during at least a portion of the specific future time interval.

121. (Previously Added) A method of Claim 113 further including transmitting, to at least one of the designated at least one Provider, data indicating at least a portion of the quantity of electric power or natural gas used by the at least one end user during the specific future time interval at the at least one end-user facility.
122. (Previously Added) A method of Claim 113 in which each portion of Steps a.- e. is performed by at least one computer.
123. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of end users, such process utilizing at least one computer and based on an economic choice in accordance with auction rules, comprising:
- a. transmitting at least a portion of historical energy usage information associated with at least one end user to at least a first portion of a plurality of energy Providers;
 - b. receiving, from each Provider of the plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to the at least one end user;
 - c. processing the bids in accordance with the auction rules;

- d. transmitting at least a portion of processed bid information to at least a second portion of the plurality of energy Providers; and
 - e. designating, on the basis of the processed bid information, at least two Providers of the plurality of energy Providers, each of said at least two Providers to supply at least a portion of the electric power or natural gas needed by the at least one end user for use at at least one end-user facility during a specific future time interval, such that the at least two Providers, when their respective designations to supply are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval[.];
wherein each of Steps a.-e. is performed by at least one computer.
124. (Previously Added) A method of Claim 123 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
125. (Previously Added) A method of Claim 123 in which the bids to provide electric power or natural gas include bids to provide at least one block of electric power or natural gas.

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126. (Previously Added) A method of Claim 125 in which the auction rules include bid formulation requirements specifying that the bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
127. (Previously Added) A method of Claim 123 further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during at least a portion of the specific future time interval.
128. (Previously Added) A method of Claim 123 in which at least a first Provider is designated to supply a fixed quantity of electric power or natural gas to provide the at least a portion of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during the specific future time interval, and further including specifying at least a first default supplier to supply at least a part of the electric power or natural gas needed by the at least one end user for use at the at least one end-user facility during at least a portion of the specific future time interval.
129. (Previously Added) A method of Claim 123 further including transmitting, to at least one of the designated at least two Providers, data indicating at least a portion of the quantity of electric power or natural gas used by the

at least one end user during the specific future time interval at the at least one end-user facility.

130. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of Buyers, such process utilizing at least one computer and based on an economic choice in accordance with auction rules, comprising:
- a. receiving, from at least one Buyer, at least one request for future energy supply, consisting of electric power or natural gas;
 - b. processing the at least one request and distributing at least a portion of at least one processed request to a plurality of energy Providers;
 - c. transmitting at least a portion of historical energy usage information associated with the at least one Buyer to at least a portion of the plurality of energy Providers;
 - d. receiving, from at least three Providers of the plurality of energy Providers, bids to provide electric power or natural gas to the at least one Buyer;
 - e. processing the bids in accordance with the auction rules;
 - f. transmitting at least a portion of processed bid information to at least a portion of the at least three Providers; and
 - g. designating, on the basis of the processed bid information, at least two Providers of the at least three Providers, each of said at least two Providers to supply at least a portion of the electric power or natural

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gas needed by the at least one Buyer during a specific future time interval for use at at least one end-user facility, such that the at least two Providers, when their respective designations to supply are summed, are designated to supply 100% of the electric power or natural gas needed by the at least one Buyer during the specific future time interval for use at the at least one end-user facility[.];
wherein each of Steps a.-g. is performed by at least one computer.

Allowable Subject Matter

Claims 1-7, 9-25, 27-35, 49-57, 59-72, 74-95 and 97-130 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Igor N. Borissov/

Primary Examiner, Art Unit 3628

11/10/2008